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ERICSSON INC.  
6300 LEGACY DRIVE  
M/S EVR C11  
PLANO, TX 75024

EXAMINER

LEE, PHILIP C

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 05/21/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

25

## Office Action Summary

Application No.

09/768,953

Applicant(s)

HOLLER ET AL.

Examiner

Philip C Lee

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-38 are presented for examination.
2. It is noted that although the present application does contain line numbers in the specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.
3. The specification is objected to because of the following informalities and grammar errors, page 16, lines 26, "not is" [i.e. is not?], page 19, lines 17, "terminal 604" [no terminal 604 in fig. 6]. Appropriate correction is required.

*Claim Rejections – 35 USC 112*

4. Claims 1-19 and 21-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - a. The following terms lack proper antecedent basis:
    - i. the necessary parameters – claim 17.

- b. Claim language in the following claims is not clearly understood:
  - i. As per claim 1, line 2, it is unclear if the access node is connected to the IP network; Lines 9-10, it is uncertain if the terminal is a non-enabled resource reservation device, if so does the means for instructing still apply? Lines 11-12, it is not clearly understood for whom does the necessary parameters for the resource reservation apply [i.e. for the proxy to the end node.]; Lines 13-14, it is unclear how the means for changing a signaling message is performed [i.e. the server intercept the signaling message.].
  - ii. As per claim 2, line 1, it is unclear if Application level server refers to the application level server in claim 1, line 1 [i.e. if they are the same, then “The application level server” must be used.].
  - iii. As per claims 4-14, line 1, they have similar uncertainties or problems as in claim 2, line 1.
  - iv. As per claim 5, lines 2-3, it is unclear how the server identifies the quality of service mode in a TerminalCapabiliytSet message [i.e. by intercepting the TerminalCapabiliytSet message?].
  - v. As per claim 7, lines 2-3, it is unclear how the server identifies the port in an OpenLogicalChannel message [i.e. by intercepting the message?].
  - vi. As per claim 9, lines 2-3, it has the similar uncertainty as in claim 7, lines 2-3.
  - vii. As per claim 10, lines 1-2, it is uncertain what is the relationship between means for changing a signaling message and the signaling message sent from the

terminal towards the end node [i.e. does the means for changing is performed before the message is sent from the terminal?].

viii. As per claim 12, lines 2-4, they have similar uncertainties or problems as in claim 10, lines 1-2.

ix. As per claim 14, lines 1-3, it is not clearly understood what is the relationship between the quality of service of the proxy and the end node and a request quality of service message from the server to the proxy [i.e. the server sent quality of service on behalf of the proxy?].

x. As per claim 15, lines 5-6, it is unclear if an access node is connected to the IP network; Line 8, it is uncertain whom specify the specific quality of service [i.e. the terminal?].

xi. As per claim 16, line 1, it is unclear if "Communication system" refers to "the communication system" in claim 15, line 1 [i.e. if they are the same, then "The communication system" must be used.].

xii. As per claim 16, line 2-3, it is unclear what is the relationship between the necessary parameters and the resource reservation.

xiii. As per claims 17-19, line 1, they have similar uncertainties or problems as in claim 16, line 1.

xiv. As per claim 21, line 1, it is unclear if "Method" refers to "the method" in claim 20, line 1 [i.e. if they are the same, then "The method" must be used.].

xv. As per claim 22-38, line 1, they have similar uncertainties or problems as in claim 21, line 1.

- xvi. As per claim 22, it has similar uncertainty or problem as in claim 10, lines 1-2.
- xvii. As per claim 22, line 4, it is unclear what is meant by "not is" [i.e. is not?].
- xviii. As per claim 24, it has similar uncertainty or problem as in claim 12, lines 2-4.
- xix. As per claim 27, it has similar uncertainty or problem as in claim 5, lines 2-3.
- xx. As per claim 29, it has similar uncertainty or problem as in claim 7, lines 2-3.
- xxi. As per claim 31, it has similar uncertainty or problem as in claim 9, lines 2-3.
- xxii. As per claim 32, it has similar uncertainty or problem as in claim 14, lines 1-3.

*Claim Rejections – 35 USC 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 6, 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes et al, U.S. Patent 6,721,272 (hereinafter Parnafes).

7. As per claim 1, Parnafes taught the invention substantially as claimed wherein an application level server connected to an IP network, the IP network being connected to a terminal via an access node and via a resource reservation proxy being connected to the IP network, the IP network further being connected to an end node (fig. 1; col. 5, lines 8-23), the IP network and the resource reservation proxy using a resource reservation protocol (col. 5, lines 30-36), wherein the server manages a resource reservation for establishing quality of service between the terminal and the end node (col. 6, lines 38-42), and wherein the server includes a functional entity, the functional entity including:  
means for instructing the terminal to not use its resource reservation protocol if it has any (col. 5, lines 24-29; col. 6, lines 20-29),  
means for identifying necessary parameters required for performing the resource reservation (col. 5, lines 55-col. 6, lines 4; col. 7, lines 4-24),  
means for indicating that the resource reservation signaling applies from the access node and towards the end node (col. 7, lines 59-col. 8, lines 2), and  
means for requesting, from the proxy, a specific quality of service according to the necessary parameters, between the proxy and the end node on an IP level (col. 7, lines 25-35, 46-64).

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8. Parnafes did not specifically teach changing the signaling message to indicate where the resource reservation signaling applies. However, It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include changing the signaling message because by doing so would increase the flexibility of Parnafes's system by allowing resource reservation signaling message to change according the change of quality of service demands.

9. As per claim 2, Parnafes taught the invention substantially as claimed in claim 1 above. Parnafes further taught wherein the resource reservation protocol is the Resource Reservation Protocol (RSVP) and the resource reservation proxy is an RSVP proxy (col. 5, lines 66-col. 6, lines 2).

10. As per claim 6, Parnafes taught the invention substantially as claimed in claim 1 above. Parnafes further taught wherein one of the necessary parameters is quality of service information (col. 5, lines 66-col. 6, lines 2).

11. As per claim 8, Parnafes taught the invention substantially as claimed in claim 1 above. Parnafes further taught wherein one of the necessary parameters is a port identification of a port to be used by the end node for reception of an incoming media stream to the end node (col. 5, lines 47-54; col. 2, lines 33-40).



12. As per claim 14, Parnafes taught the invention substantially as claimed in claim 1 above. Parnafes further taught wherein the request of quality of service between the proxy and the end node, is sent in a request quality of service message from the server to the proxy, the message including the necessary parameters (col. 6, lines 38-42, 47-53; col. 8, lines 56-63).

13. Claims 15-21, 28, 30 and 32-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes in view of Sen et al, U.S. Patent 6,708,034 (hereinafter Sen).

14. As per claim 15, Parnafes taught the invention substantially as claimed wherein a communication system including an application level server and an IP network connected to the application level server (fig. 1), the application level server routing calls within the communication system (col. 6, lines 30-53), the IP network using a resource reservation protocol (col. 5, lines 30-36), the communication system further including:

a terminal being connected to the IP network via an access node and via a resource reservation proxy being connected to the IP network, an end node being connected to the IP network (fig. 1; col. 5, lines 8-23), and  
a resource reservation protocol proxy, having means for performing resource reservation to establish the specific quality of service on an IP level, between the access node and the end node (col. 7, lines 59-col. 8, lines 2; col. 8, lines 39-48).

15. Parnafes did not teach establishing an access bearer. Sen taught means for establishing an access bearer, with a specific quality of service on a link level, between the terminal and the access node (col. 5, lines 47-64).

16. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes and Sen because Sen's method of establishing an access bearer with a quality of service on a link level would enhance Parnafes's system by allowing reservation of end-to-end quality of service for a wireless network with a wire network.

17. As per claim 20, Parnafes taught the invention substantially as claimed for resource reservation to establish end-to-end quality of service between a terminal and an end node within a communication system (abstract; col. 6, lines 38-42), the communication system including an IP network using a resource reservation protocol (fig. 1; col. 5, lines 8-23, 30-36), the communication system further including the terminal being connected to an access node, the access node being connected to a resource reservation protocol proxy, the proxy being connected to the IP network, the IP network being connected to an application level server that routes calls and that manages the resource reservation (fig. 1, lines 8-23), the method including the steps of:

indicating that the resource reservation signaling on IP level applies between the proxy and the end node (col. 7, lines 25-35, 46-64);

identifying necessary parameters for performing the resource reservation (col. 5, lines 55- col. 6, lines 4; col. 7, lines 4-24);

performing the resource reservation, with quality of service on the IP level, between the access node and the end node, by means of the resource reservation protocol proxy (col. 7, lines 59-col. 8, lines 2).

18. Parnafes did not teach establishing an access bearer. Sen taught establishing an access bearer with a quality of service on a link level, between the terminal and the access node (col. 5, lines 47-64).

19. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes and Sen because Sen's method of establishing an access bearer with a quality of service on a link level would enhance Parnafes's system by allowing reservation of end-to-end quality of service for a wireless network with a wire network.

20. As per claims 16 and 21, Parnafes and Sen taught the invention substantially as claimed in claims 15 and 20 above. Parnafes further taught wherein the resource reservation protocol is the Resource Reservation Protocol (RSVP) and the proxy is an RSVP proxy (col. 5, lines 66-col. 6, lines 2).

21. As per claims 17 and 34, Parnafes and Sen taught the invention substantially as claimed in claims 16 and 20 above. Parnafes further taught wherein the resource reservation is initiated

by the proxy, by a sent Path signaling message of RSVP including the necessary parameters, from the access node towards the end node (col. 7, lines 59-col. 8, lines 2; col. 8, lines 39-48).

22. As per claims 18 and 37, Parnafes and Sen taught the invention substantially as claimed in claims 15 and 20 above. Sen further taught wherein the access node is a radio access node and the terminal is connected to the radio access node via a radio link (figs. 2 and 3; col. 3, lines 36-44).

23. As per claims 19 and 38, Parnafes and Sen taught the invention substantially as claimed in claims 16 and 37 above. Parnafes further taught wherein the resource reservation protocol proxy is co-located with the access node (fig. 1; col. 7, lines 59-col. 8, lines 2; col. 8, lines 39-48).

24. As per claim 28, Parnafes and Sen taught the invention substantially as claimed in claim 20 above. Parnafes further taught wherein one of the necessary parameters is quality of service information (col. 5, lines 66-col. 6, lines 2).

25. As per claim 30, Parnafes and Sen taught the invention substantially as claimed in claim 20 above. Parnafes further taught wherein one of the necessary parameters is a port identification of a port to be used by the end node for reception of an incoming media stream to the end node (col. 5, lines 47-54; col. 2, lines 33-40).

26. As per claims 32 and 33, Parnafes and Sen taught the invention substantially as claimed in claim 20 above. Parnafes further taught wherein the request of quality of service between the proxy and the end node, is sent in a request quality of service message from the server to the proxy, the message including the necessary parameters (col. 6, lines 38-42, 47-53; col. 8, lines 56-63).

27. As per claim 35, Parnafes and Sen taught the invention substantially as claimed in claim 20 above. Parnafes further taught wherein the step of performing the resource reservation, is performed by the resource reservation signaling messages, sent from the end node routed to go via the proxy towards the terminal are stopped by the proxy and not forwarded to the terminal (col. 7, lines 38-col. 8, lines 2).

28. As per claim 36, Parnafes and Sen taught the invention substantially as claimed in claim 35 above. Parnafes further taught wherein the step of performing the resource reservation, is performed by said resource reservation signaling messages, sent from the end node and stopped by the proxy are, when by the protocol so required, responded to by the proxy instead of the terminal, in a resource reservation signaling message sent to the end node (col. 7, lines 38-col. 8, lines 2).

29. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes in view of Roy, U.S. Patent 6,732,177 (hereinafter Roy).

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30. As per claim 3, Parnafes taught the invention substantially as claimed in claim 2 above. Parnafes did not teach an ACF signaling message. Roy taught wherein the functional entity includes means for instructing the terminal to not use its resource reservation protocol if it has any, in an ACF signaling message of H.225/RAS sent from the server to the terminal (col. 45, lines 57-62).

31. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes and Roy because Roy's method of ACF signaling message would increase the reliability of Parnafes's system by providing admission confirmation to mobile terminal based on the fact whether the requirements for the admission can be met or not (col. 45, lines 57-60).

32. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes in view of Turunen et al, U.S. Patent 6,487,595 (hereinafter Turunen).

33. As per claim 4, Parnafes taught the invention substantially as claimed in claim 1 above. Parnafes did not teach including a quality of service mode. Turunen taught wherein one of the necessary parameters is a quality of service mode (col. 5, lines 53-col. 6, lines 11).

34. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes and Turunen because Turunen's

method of including a quality of service mode would increase flexibility of Parnafes's system by allowing a terminal to specify the quality of service mode for the transmission of data.

35. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes in view of Mizuta et al, U.S. Patent 6,584,110 (hereinafter Mizuta).

36. As per claim 7, Parnafes taught the invention substantially as claimed in claim 6 above. Parnafes did not teach an OpenLogicalChannel message. Mizuta taught wherein the quality of service information is identified by the server in an OpenLogicalChannel message of H.245 sent from the terminal towards the end node (col. 3, lines 47-53).

37. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes and Mizuta because Mizuta's method of OpenLogicalChannel would increase the efficiency of Parnafes's system by allowing channel setting request to be transmitted between terminals (col. 3, lines 47-48).

38. As per claim 9, Parnafes taught the invention substantially as claimed in claim 8 above. Parnafes did not teach an OpenLogicalChannelAck message. Mizuta taught wherein the identification of the port to be used by the end node is identified by the server in an OpenLogicalChannelAck message of H.245 sent from the end node towards the terminal (col. 3, lines 47-53).

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39. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes and Mizuta because Mizuta's method of OpenLogicalChannel would increase the efficiency of Parnafes's system by allowing channel setting request and acknowledgement to be transmitted between terminals (col. 3, lines 47-48).

40. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes in view of Yamato et al, U.S. Patent 6,094,431 (hereinafter Yamato).

41. As per claim 10, Parnafes taught the invention substantially as claimed in claim 1 above. Parnafes did not teach means for changing a signaling message, sent from the terminal towards the end node, from indicating the quality of service is not possible to indicating that quality of service is possible. Yamato taught wherein the functional entity has means for changing a signaling message, sent from the terminal towards the end node, from indicating that quality of service is not possible to indicating that quality of service is possible (col. 2, lines 1-13; col. 22, lines 36-51).

42. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes and Yamato because Yamato's means for changing the signaling message would increase the flexibility of Parnafes's system by allowing resource reservation signaling message to change according the change of quality of service demands.



43. As per claim 12, Parnafes taught the invention substantially as claimed in claim 1 above. Parnafes did not teach changing a signaling message, sent from the end node towards the terminal, from indicating that quality of service is possible to indicating that quality of service is not possible. Yamato taught wherein the functional entity has means for changing a signaling message, sent from the end node towards the terminal, from indicating that quality of service is possible to indicating that quality of service is not possible (col. 2, lines 1-13; col. 22, lines 36-51).

44. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes and Yamato because Yamato's means for changing the signaling message would increase the flexibility of Parnafes's system by allowing resource reservation signaling message to change according the change of quality of service demands.

45. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes and Turunen in view of Mizuta et al, U.S. Patent 6,584,110 (hereinafter Mizuta).

46. As per claim 5, Parnafes and Turunen taught the invention substantially as claimed in claim 4 above. Parnafes and Turunen did not teach a TerminalCapabilitySet message. Mizuta taught wherein the quality of service mode is identified by the server in a TerminalCapabilitySet message of H.245 from the end node towards the terminal (col. 3, lines 22-23, 27-34).

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47. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes, Turunen and Mizuta because Mizuta's teaching of TerminalCapabilitySet message would increase the efficiency of Parnafes's and Turunen's systems by informing the receiver terminal of a terminal capability to avoid transmission of quality of service data to the terminal that cannot meet the resource requirements.

48. Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes and Yamato in view of Mizuta.

49. As per claims 11 and 13, Parnafes and Yamato taught the invention substantially as claimed in claims 10 and 12 above. Parnafes and Yamato did not teach a TerminalCapabilitySet message. Mizuta further taught wherein the signaling message is a TerminalCapabilitySet of H.245 (col. 3, lines 22-23, 27-34).

50. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes, Yamato and Mizuta because Mizuta's teaching of TerminalCapabilitySet message would increase the efficiency of Parnafes's and Yamato's systems by informing the receiver terminal of a terminal capability to avoid transmission of quality of service data to the terminal that cannot meet the resource requirements.

51. Claims 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes and Sen in view of Yamato.

52. As per claim 22, Parnafes and Sen taught the invention substantially as claimed in claim 20 above. Parnafes and Sen did not teach means for changing a signaling message, sent from the terminal towards the end node, from indicating the quality of service is not possible to indicating that quality of service is possible. Yamato taught wherein the functional entity has means for changing a signaling message, sent from the terminal towards the end node, from indicating that quality of service is not possible to indicating that quality of service is possible (col. 2, lines 1-13; col. 22, lines 36-51).

53. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes, Sen and Yamato because Yamato's means for changing the signaling message would increase the flexibility of Parnafes's and Sen's systems by allowing resource reservation signaling message to change according the change of quality of service demands.

54. As per claim 24, Parnafes and Sen taught the invention substantially as claimed in claim 20 above. Parnafes and Sen did not teach changing a signaling message, sent from the end node towards the terminal, from indicating that quality of service is possible to indicating that quality of service is not possible. Yamato taught wherein the functional entity has means for changing a signaling message, sent from the end node towards the terminal, from indicating that quality of

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service is possible to indicating that quality of service is not possible (col. 2, lines 1-13; col. 22, lines 36-51).

55. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes and Sen in view of Turunen.

56. As per claim 26, Parnafes and Sen taught the invention substantially as claimed in claim 20 above. Parnafes and Sen did not teach including a quality of service mode. Turunen taught wherein one of the necessary parameters is a quality of service mode (col. 5, lines 53-col. 6, lines 11).

57. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes, Sen and Turunen because Turunen's method of including a quality of service mode would increase flexibility of Parnafes's and Sen's systems by allowing a terminal to specify the quality of service mode for the transmission of data.

58. Claims 29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes and Sen in view of Mizuta.

59. As per claim 29, Parnafes and Sen taught the invention substantially as claimed in claim 28 above. Parnafes and Sen did not teach an OpenLogicalChannel message. Mizuta taught

wherein the quality of service information is identified by the server in an OpenLogicalChannel message of H.245 sent from the terminal towards the end node (col. 3, lines 47-53).

60. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes, Sen and Mizuta because Mizuta's method of OpenLogicalChannel would increase the efficiency of Parnafes's and Sen's system by allowing channel setting request to be transmitted between terminals (col. 3, lines 47-48).

61. As per claim 31, Parnafes and Sen taught the invention substantially as claimed in claim 30 above. Parnafes and Sen did not teach an OpenLogicalChannelAck message. Mizuta taught wherein the identification of the port to be used by the end node is identified by the server in an OpenLogicalChannelAck message of H.245 sent from the end node towards the terminal (col. 3, lines 47-53).

62. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes, Sen and Mizuta because Mizuta's method of OpenLogicalChannel would increase the efficiency of Parnafes's and Sen's systems by allowing channel setting request and acknowledgement to be transmitted between terminals (col. 3, lines 47-48).

63. Claims 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes, Sen and Yamato in view of Mizuta.

64. As per claims 23 and 25, Parnafes, Sen and Yamato taught the invention as claimed in claims 22 and 24 above. Parnafes, Sen and Yamato did not teach a TerminalCapabilitySet message. Mizuta further taught wherein the signaling message is a TerminalCapabilitySet of H.245 (col. 3, lines 22-23, 27-34).

65. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes, Sen, Yamato and Mizuta because Mizuta's teaching of TerminalCapabilitySet message would increase the efficiency of Parnafes's, Sen's and Yamato's systems by informing the receiver terminal of a terminal capability to avoid transmission of quality of service data to the terminal that cannot meet the resource requirements.

66. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parnafes, Sen and Turunen in view of Mizuta.

67. As per claim 27, Parnafes, Sen and Turunen taught the invention as claimed in claim 26 above. Parnafes, Sen and Turunen did not teach a TerminalCapabilitySet message. Mizuta taught wherein the quality of service mode is identified by the server in a TerminalCapabilitySet message of H.245 from the end node towards the terminal (col. 3, lines 22-23, 27-34).

68. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Parnafes, Sen, Turunen and Mizuta because Mizuta's teaching of TerminalCapabilitySet message would increase the efficiency of Parnafes's, Sen's and Turunen's systems by informing the receiver terminal of a terminal capability to avoid transmission of quality of service data to the terminal that cannot meet the resource requirements.

### CONCLUSION

69. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wang, U.S. Patent 6,691,912, disclosed a method of returning a message indicating the QoS requirements could be met.

70. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

71. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (703)305-7721. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday.

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72. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

73. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)350-6121.

P.L.

  
JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100